

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Company Appeal (AT) (Insolvency) No. 313 of 2018

IN THE MATTER OF:

Dharmendra Kumar

...Appellant

Vs

IBBI & Ors.

....Respondents

Present:

**For Appellant: Mr. Ratan Kumar Singh, Mr. Mrinal Litoria and
Mr. Ashutosh Kumar, Advocates.**

For Respondents:

ORDER

26.06.2018. Learned counsel appearing on behalf of the Resolution Professional submits that he was appointed as Resolution Professional without consent letter. Further, according to him neither the 'Adjudicating Authority' nor the 'Financial Creditor' or the 'Operational Creditor' or the 'Corporate Applicant' or the 'Committee of Creditors' can force a Resolution Professional to continue, if for one or other good ground the Resolution Professional intends to withdraw himself from the Resolution Process and ask for discharge.

Let notice be issued on Respondents by Speed Post. Requisites alongwith process fee, if not already filed, be filed by tomorrow. If the Appellant provides email address of the Respondents, let notice be issued through email.

Post the case '*for admission*' on **16th July, 2018.**

Until further order the operation of impugned order dated 16th May, 2018 so far it related to direction to IBBI to initiate inquiry against the Resolution Professional and imposition of cost shall remain stayed. However, the Appellant will cooperate and perform the duty as the Resolution Professional honestly until further order.

[Justice S. J. Mukhopadhaya]
Chairperson

[Justice A. I. S. Cheema]
Member (Judicial)

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